

REMARKS

The Office Action dated January 26, 2007, has been received and carefully considered. Claims 1-5, 7-11, 13-17, 19 and 20-23 are currently pending. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

II. **THE OBVIOUSNESS REJECTION OF CLAIMS 1-5, 7-11, 13-17 AND 19-23**

On page 2 of the Office Action, claims 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over information available from the web site of Climark on the product Advisors Assistant. On page 4 of the Office Action, claims 4, 10 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice, and further in view of Hanby (U.S. Patent No. 7,143,051). On page 5 of the Office Action, claims 5, 11 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice, and further in view of Applicant's Alleged Admission of Prior Art. On page 6 of the Office Action, claims 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice. On page 7 of the Office Action, claims 21-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice, and further in view of Hanby. This rejection is hereby respectfully traversed.

Applicant respectfully submits that the Examiner did not enclose with the Office Action a copy of the Advisor Assistant reference which is relied upon to reject each of the pending claims. However, Applicant assumes that the Examiner is referring to Agency Assistant, a collection of four (4) screen shots from the www.climark.com web site. Applicant requests that the Examiner immediately notify the undersigned if this understanding is incorrect. Also, Applicant noticed

that the pending rejection makes repeated reference to page 5 of the Advisor Assistant (presumably Agency Assistant). However, the copy of Agency Assistant that Applicant has only contains four pages. Applicant respectfully requests that the Examiner provide the missing page 5 in the next Office Action.

Applicant respectfully submits that Agency Assistant does not teach or suggest the steps of "receiving agent identifying information and agent commission information, wherein said agent identifying information comprises at least one selected from the group consisting of a name, an address, and a telephone number," or "analyzing and sorting the received agent identifying information and agent commission information," as expressly recited in claim 1. Rather, Applicant respectfully submits that Agency Assistant does not disclose any feature or functionality that "receiv/es/ agent identifying information and agent commission information, wherein said agent identifying information comprises at least one selected from the group consisting of a name, an address, and a telephone number," or "analyz/es/ and sort/s/ the received agent identifying information and agent commission information." In fact, Applicant respectfully submits that Agency Assistant merely discloses four pages of high-level features performed by the "Commission Module" of an "Agency Assistant Client Management System," but does not teach or suggest any feature or functionality that "receiv/es/ agent identifying information and agent commission information, wherein said agent identifying information comprises at least one selected from the group consisting of a name, an address, and a telephone number," or "analyz/es/ and sort/s/ the received agent identifying information and agent commission information," as set forth in independent claim 1.

Applicant agrees with the Examiner that Agency Assistant does not teach or suggest the step of sorting agent identifying information and agent commission information. However,

Applicant respectfully disagrees with the Examiner's taking official notice that it was well known in the electronic arts to sort information or data, and that the purpose of sorting information or data was to provide a means to display the information in a more logical and user friendly fashion. Applicant traverses this rejection because there is no support in the record for the conclusion that the identified features are "old and well known." In accordance with MPEP § 2144.03, the Examiner must cite a reference in support of his position.

Independent claims 7 and 13 recite language that is similar to the recitations of claim 1, and are thus allowable for at least the reasons set forth above.

Claims 2-5, 8-11, 14-17, and 19-23 are dependent upon independent claim 1, 7 or 13. Thus, since independent claims 1, 7 and 13 should be allowable as discussed above, claims 2-5, 8-11, 14-17, and 19-23 should also be allowable at least by virtue of their dependency on independent claim 1, 7 or 13. Moreover, these claims recite additional features which are not claimed, disclosed, or even suggested by the prior art. For example, regarding claims 19 and 20 the Examiner alleges that Agency Assistant does not explicitly disclose agent identifying information including an address and a telephone number, but takes Official Notice that it was well known in the electronic arts to ask for additional identifying information from users when accessing electronic sites for information. The Applicants traverse this rejection because there is no support in the record for the conclusion that the identified features are "old and well known." In accordance with MPEP § 2144.03, the Examiner must cite a reference in support of his position.¹

¹ In the last response, Applicant requested that the Examiner provide a reference in support of his position, but the Examiner failed to do so in the latest Office Action.

In view of the foregoing, it is respectfully requested that the aforementioned obviousness rejection of claims 1-5, 7-11, 13-17, 19-23 be withdrawn.

IV. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

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